

E-Filed 10/23/12

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

DANIEL SANDIGO,
Plaintiff,

v.

G.D. LEWIS, et al.,
Defendants.

No. C 12-0085 RS (PR)

SECOND ORDER OF SERVICE;

**ORDER DENYING WITHOUT
PREJUDICE DEFENDANTS'
MOTION FOR SUMMARY
JUDGMENT;**

DIRECTIONS TO CLERK

This is a civil rights action. Plaintiff has at last provided sufficient information so that unserved defendants can be served with the complaint. Accordingly, the Clerk of the Court shall issue summons and the United States Marshal shall serve, without prepayment of fees, a copy of the complaint in this matter, all attachments thereto, and a copy of this order upon C.M. Rogers, C. Tileston, and K. Morgan at the addresses provided by plaintiff in his motion to serve these defendants. (*See* Docket No. 25.) Plaintiff's motion to serve the complaint on these defendants (Docket No. 25) is GRANTED.

Having to serve these defendants requires changes to the briefing schedule. In order to avoid piecemeal litigation of the claims, defendants' motion for summary judgment (Docket No. 11) is DENIED without prejudice. When service has been executed on the

1 above-listed defendants, the Court will issue a new scheduling order regarding the filing of
2 dispositive motions. Until service has been completed, a stay of discovery is needed.
3 Accordingly, defendants' motion to stay discovery (Docket No. 26) is GRANTED. When
4 the Court issues a new order of service, discovery can continue. The Clerk shall serve the
5 complaint as directed above, and terminate Docket Nos. 11, 25 and 26.

6 **IT IS SO ORDERED.**

7 DATED: October 23, 2012

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9 RICHARD SEEBORG
10 United States District Judge
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United States District Court
For the Northern District of California